

Attachment B

WARNING OF CONSTITUTIONAL RIGHTS

Report # Q-182961

When an individual is taken into custody or otherwise deprived of his freedom by the authorities and is subjected to questioning, he must be WARNED PRIOR TO QUESTIONING as follows:

1. I am, C. McHaffey, DFM, a Deputy Sheriff.
2. You have the right to remain silent.
3. Anything you say can and will be used against you in a court of law.
4. If you are under the age of 18, anything you say can be used against you in a juvenile court prosecution for a juvenile offense, or in a prosecution in adult court.
5. You have the right to talk to an attorney before answering any questions.
6. You have the right to have your attorney present during the questioning.
7. If you cannot afford an attorney, one will be appointed for you without cost, before any questioning, if you so desire.
8. Do you understand these rights? YES
9. Do you want to give up these rights and answer my questions? YES

SIGNATURE [Signature] Time 8:32 Date Jun 14/82

- a. The suspect must affirmatively state that he wishes to proceed with the questioning in view of knowledge of his rights.
- b. It is not the suspect's duty to request a lawyer; it is the officer's obligation to make sure the suspect understands he has the absolute right to a lawyer, and the officer then can proceed only if the suspect waives this right.
- c. If the individual indicates IN ANY MANNER at any time prior to or during the questioning that he wishes to cease or wishes the presence of an attorney, the interrogation must end.
- d. General on-the-scene questioning when there is no "prime suspect" is permissible, without the caution being given.

Form 948 (Rev. 3/82)